

Secretary of State

**2009
VOTING PRECINCT
HANDBOOK**

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VOTING PRECINCT HANDBOOK

A. What is a precinct and polling place?

- A precinct is defined in our Election Code as the smallest political unit of a ward having defined geographical boundaries.
- A polling place is any location where voting, either early or on Election Day, is conducted.
- One polling place is required for each precinct; however, a parish governing authority shall, to the extent possible, locate multiple precincts in a polling location, if they determine this to be efficient, cost-effective and convenient to voters.
- A polling place is required to have the following features:
 - ✓ proper electric current, fixtures, and outlets necessary to properly operate the voting machines and conduct the elections;
 - ✓ sanitary facilities available;
 - ✓ located in a suitable public building (all public bodies are required to allow the use of public building as voting precincts without cost or charge when the parish governing authority requires it);
 - ✓ comply with accessibility standards for individuals with disabilities adopted by the Secretary of State. (See, Appendix 2)
- **Prohibited locations:**
 - Place where alcoholic beverages are served unless a nonprofit organization whose principal business is not the dispensing of alcoholic beverages, but none shall be dispensed on premises during election or for 3 hours before polls open;
 - Jail, penitentiary, or other penal institution;
 - Mental hospital or mental health center;
 - Eleemosynary institution where wards of state are confined, except educational institutions and U.S. Marine Hospital No. 88 at Carville; or
 - Private property owned, occupied or leased by a candidate in election or spouse of such candidate, or an officer or employee of the state or its political subdivisions.
- Private Property may be used for polling locations when necessary and may be leased for no more than \$150 for each election. The following conditions must be met:

- ✓ Written lease (form shall be obtained through the Secretary of State's office; see, Appendix 3) ;
 - ✓ Lease recorded in office of clerk of court, prominently posted in office of registrar of voters, and filed with the Secretary of State;
 - ✓ No payment shall be made by the Secretary of State if the lease is not filed in his office at least 30 days prior to election, unless a change in location of the polling place was necessitated immediately prior to the election. Such lease contracts shall be filed with the Secretary of State no later than 10 days following an election.
- Liability of Polling Places: There is no general liability of an owner, lessee, or occupant of a premise used as a polling place on election day for injury to persons or property which occurs on the premises while it is being used as a polling place on election day. However, any liability for willful or malicious injury to persons or property or liability imposed on the owner, lessee or occupant of the premises pursuant to Civil Code Articles 2317 and 2322 are enforceable by private right of action. Civil Code Article 2317 provides for liability for damage caused by others who are answerable to owner and things in his custody and Article 2322 provides for liability for damage caused by ruin of a building.

B. How is a precinct established?

- The parish governing authority of each parish shall establish precincts, define territorial limits for which each precinct is established, prescribe their boundaries, and designate the precincts.
- All precincts shall be adopted by ordinance.
- All precincts must be established within the timetable provided for by law. (See, Appendix 1)
- All precincts must be accessible and have a certified accessibility survey filed with the Secretary of State. (See, Appendix 2)

C. Precinct Requirements

- **Boundaries**: Each precinct shall be a contiguous (meaning adjoining), compact area with clearly defined and clearly observable boundaries coinciding with visible features readily distinguishable on the ground and approved extensions of such features, such as designated highways, roads, streets, rivers, or canals, and depicted on U.S. Bureau of the Census base maps for the next federal decennial census. EXCEPTION: where the precinct boundary is coterminous (meaning the same) with the boundary of a parish or an incorporated place when the boundaries of a single precinct contain the entire geographic area of the incorporated place.

- No precinct shall be wholly contained within the territorial boundaries of another precinct. EXCEPTION: a precinct which contains the entire geographical area of an incorporated place and in which the total number of registered voters at the last general election was less than 300 may be so contained.
- **Size:** a precinct shall contain no more than 2,200 registered voters (active only) and no less than 300. EXCEPTIONS for under 300: (1) geographically isolated and unincorporated area, convenience for voters; (2) precinct contains entire geographical area of incorporated place; and (3) merger of precincts not allowable because of voting district boundaries (but such precinct must be consolidated in the polling place with adjacent precinct pursuant to R.S.18:425.1 and 1286.1). All exceptions must be submitted to the Secretary of State for approval, as outlined below.

D. Who can make a precinct change?

- ✓ Only the parish governing authority (police jury, parish council) has the authority to change the configuration, boundaries, or designation of an election precinct. It must be by ordinance and a certified copy of the ordinance must be sent to the secretary of state with a copy of the map showing the new precinct boundaries and designations together with a written description of such boundaries.
- ✓ **Prior to adoption by ordinance, proposed changes** in precinct boundaries must be submitted to the secretary of the senate and the clerk of the house of representatives, or their designee, on census maps and by electronic medium.
- ✓ **Bill Blair, Director of Demographic Services** at the Louisiana Legislature is the designee for the secretary and clerk. His contact number is 225-342-2591 and mailing address is P.O. Box 94062, Baton Rouge, LA 70804-9062.
- ✓ **NO** change in a precinct boundary may be made **without prior review and approval** by the secretary and clerk or their designee. Review to consist of determination whether proposed change coincides with visible feature depicted on a base map used by census bureau.
- ✓ Secretary and clerk or their designee is required to send a report of their findings within 45 days after receipt of proposed precinct changes, or the proposed changes are deemed approved.
 - If a **merger** or **consolidation** is involved, prior to adoption by ordinance, the proposed merger or consolidation must be submitted to the Secretary of State. Review of mergers to consist of determination whether proposed merger establishes a precinct(s) where all parts of each proposed new precinct are in same state, local, and municipal office voting district. Review of consolidations to consist of determination whether proposed consolidation joins precincts in the same legislative, public service commission, state board of elementary and secondary education, state, federal, and local governing authority voting districts.

- **Joanne Guidroz, Director of Registration** at the Secretary of State's office is the designee for reviewing precinct mergers. Her contact number is 225-922-0900. Mailing address is P. O. Box 94125, Baton Rouge, LA 70804-9125.
- Secretary of State is required to send report of findings within 45 days after receipt of proposed precinct change which includes a merger, or the proposed merger is deemed approved.
- **“No precinct shall be merged until all local governing authorities and the parish or city school board within the area affected by the merger have completed redistricting and such redistricting has been precleared pursuant to the Voting Rights Act of 1965.” R.S. 18:532.1(C)(3)(b).**

E. When can a precinct change be made?

- **Candidate elections:** A precinct shall not be changed, and no precinct shall be established or altered in any way, including alphabetical division by voter surname, and no annexation shall be implemented during the period commencing on the date the qualifying period opens and ending on the date of the general election. **EXCEPTION:** There is an *exception* when the polling place becomes unavailable due to an emergency caused by an act of God or when privately owned property being used as a polling place becomes unavailable through no fault of the governing authority. The parish governing authority has to state the emergency in their ordinance for justification.
- **Proposition elections:** For an election which is exclusively for bonds, taxes, and other propositions or questions and for no other kind of election, a precinct shall not be changed during the period commencing on the forty-sixth day prior to the election and ending on the date of the election. **EXCEPTION:** There is an *exception* when the polling place becomes unavailable due to an emergency caused by an act of God or when privately owned property being used as a polling place becomes unavailable through no fault of the governing authority.
- **Annual Canvass:** Within 30 days of completion of the annual canvass, the registrar of voters is required to notify the parish governing authority of every precinct in the parish which contains more than 2,200 registered voters or contains less than 300 voters. The parish governing authority is required to either merge such precincts within 60 days or receive approval from the Department of State for an exception in accordance with law.

F. When can a precinct change be implemented?

- **Preclearance by U. S. Dept. of Justice:** No precinct change or annexation that is made prior to the date the qualifying period opens for a candidate election or prior to the 46th day before a proposition election shall become effective for those elections, unless the following required information is submitted to the Secretary of State prior to the opening of qualifying or the 46th day:
 - ✓ A statement of no objection to the change from the U. S. Attorney General
 - ✓ Certified copy of ordinance
 - ✓ Copy of map showing new precinct boundaries and designations with written description of boundaries
 - ✓ Accessibility survey
- The parish governing authority must submit any precinct change to the U.S. Department of Justice pursuant to Section 5 of the Voting Rights Act. For information, visit: http://wd.usdoj.gov/crt/voting/sec_5/evs/ Additionally, a copy of the submission must be sent by certified mail to the secretary of state and a copy of the response from the U.S. Department of Justice must also be sent by certified mail to the secretary of state.
- For redistricting or reapportionment: ***"In order for an office which is included in a reapportionment or redistricting plan to be included on the ballot for an election, a notice that such plan has been precleared pursuant to the Voting Rights Act of 1965 shall be received by the secretary of state not later than 5:00 p.m. of the fifth business day prior to the scheduled opening of the qualifying period for the election. If notice of preclearance is not timely received by the secretary of state, the election shall be postponed and shall be scheduled at the next available election date and such election shall not be considered a special election. The secretary of state shall not include on the ballot for the election any office for which notice of preclearance of the reapportionment or redistricting plan is not timely received."*** R.S. 18:1941.
- Within 15 days of the adoption of an ordinance, the parish governing authority shall send the secretary of the senate and the clerk of the house, or their designee (Bill Blair), the following:
 - ✓ Certified copy of ordinance
 - ✓ Copy of map showing the new precinct boundaries and written description of boundaries
- When a precinct or polling place is established or changed, notice of its location shall be published by the parish governing authority in the official journal of the parish.
- Publication is required of the location of polling places at least once before each primary election, in the official journal during the 3rd week before the primary election.

G. Emergency Changes

- When a polling place becomes unavailable due to an emergency caused by an act of God or when privately owned property being used as a polling place becomes unavailable through no fault of the governing authority and must be changed during the window of no changes (between qualifying and election date; between 46th day before election and election date), the following must occur:
 - ✓ Each candidate shall be given immediate notice by telephone and certified mail of the new location;
 - ✓ Post a sign at former polling place directing voters to new location;
 - ✓ Post an employee of parish governing authority at former polling place to direct voters to new polling place. Employee required taking constitutional oath administered by the Clerk.
 - ✓ If reasonable time exists, publish the change in the official journal and any other newspaper of general circulation in the precinct(s) affected, under the heading "NOTICE OF CHANGE OF POLLING PLACE".
 - ✓ Take any other reasonable steps deemed necessary or desirable to inform the voters and candidates of the change in location, including but not limited to posting notices on utility poles and advertisements in electronic media.
 - ✓ Accessibility surveys are required to the Secretary of State for approval of the change, unless justification exists to delay or waive the survey.
- When a clerk determines, in conjunction with the Secretary of State, that a polling place is destroyed, inaccessible, or unsafe due to an emergency or common disaster occurring before or during an election, the secretary may issue a certification of a state of emergency allowing the polling place to be relocated to allow voting to continue. The clerk and presiding officer of the parish shall relocate any such polling place upon issuance of the certificate.
 - ✓ The polling place shall be relocated to the nearest feasible and accessible location as determined by the Secretary upon the Clerk and parish officer's recommendation.
 - ✓ Adequate notice of the relocation shall be given to each registered voter and candidate affected, if practicable by:
 - Calling or emailing each candidate, and by certified mail where reasonable time exists;
 - Posting a sign at former polling place directing voters to new location;
 - Stationing an employee of the parish governing authority at former polling place, if practicable, to direct potential voters to new location. Employee required to take oath given by clerk.
 - Publish notice of relocation by clerk in official journal and any other newspaper, if reasonable time exists.
 - Clerk may take any other steps deemed necessary or desirable to inform voters and candidates.

H. Enforcement

- The Louisiana Attorney General shall institute action to enforce the laws on establishing precincts and changing precinct boundaries.
 - The state is relieved of the obligation to pay to any parish governing authority the cost of ballots, election material, or any election expenses incurred by the clerks of court and registrars of voters when a parish governing authority is not in compliance with the laws on establishing precincts or changing precincts.
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Appendix 1: The Precinct Timetable Chart which sets out the timeframe when precincts can not be changed and denotes which documents are required to be sent to the appropriate parties.

Appendix 2: The Parish Place Accessibility Checklist is available on our website www.geauxvote.com under Elections; Forms/Brochures/Handbooks. A survey is required on each polling place before it may be used for Election Day.

Appendix 3: Polling Place lease may be printed from our website www.geauxvote.com. It is required to be submitted to the Secretary of State's Office; Attention Accounting, before any payments will be made.

APPENDIX 1

PRECINCT TIMETABLE CHART

Election Date	Type of Election	*Begin period NO precinct changes	*End period NO precinct changes
September 6, 2008 October 4, 2008 November 4, 2008	Congressional 1 st Party Primary Congressional 2 nd Party Primary and Open Primary Congressional General, Presidential, and Open General (Qualifying period: July 9-11, 2008)	July 2, 2008 (5 business days prior to the opening of qualifying)*	November 5, 2008
TIME	REQUIRED DOCUMENTATION FOR CHANGES	Sent to Senate, House, Designee	Sent to Secretary of State
46 th day prior election; prior qualifying	<p>* X - Certified copy of ordinance</p> <p>* X - Copy of map showing new precinct boundaries and designations with written description of boundaries</p> <p>X - A statement of no objection to the change from the U. S. Attorney General</p> <p>X - Accessibility survey</p>	<p>* (denotes which documents are required to be sent here)</p>	<p>X (denotes which documents are required to be sent here)</p>
Emergency move after 46 th day or opening of qualifying	<p>- Each candidate shall be given immediate notice by telephone and certified mail of the new location;</p> <p>-Post a sign at former polling place directing voters to new location;</p> <p>-Post an employee of parish governing authority at former polling place to direct voters to new polling place. Employee required taking constitutional oath administered by the Clerk.</p>		Accessibility surveys are required to the Secretary of State for approval of the change, unless justification exists for delay or waiver of survey.

	<p>-If reasonable time exists, publish the change in the official journal and any other newspaper of general circulation in the precinct(s) affected, under the heading "NOTICE OF CHANGE OF POLLING PLACE".</p> <p>-Take any other reasonable steps deemed necessary or desirable to inform the voters and candidates of the change in location, including but not limited to posting notices on utility poles and advertisements in electronic media.</p>		
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*EXCEPTION: There is an exception when the polling place becomes unavailable due to an emergency caused by an act of God or when privately owned property being used as a polling place becomes unavailable through no fault of the governing authority. See Paragraph G.

APPENDIX 2

PARISH POLLING PLACE ACCESSIBILITY CHECKLIST

(PLEASE COMPLETE ONE FORM FOR EACH POLLING PLACE NOT PRECINCT) (REVISED 11/2007)

PARISH: _____ WARD/PRECINCT(S): _____

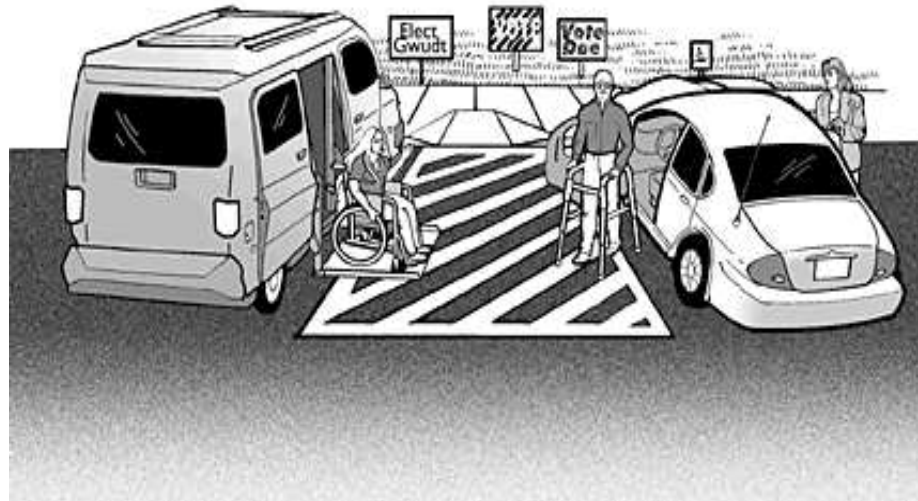
POLLING PLACE NAME: _____

POLLING PLACE ADDRESS: _____

ACCESSIBLE: YES ____ NO ____ (IF TEMPORARY SOLUTIONS ARE IN PLACE FOR ELECTION DAY)

PARKING

TOTAL SPACES FOR POLLING PLACE	REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES
1 – 25	1 van accessible space w/ minimum 96 inch wide access aisle
26 – 50	1 space w/ minimum 60 inch wide access aisle + 1 van accessible space w/minimum 96 inch wide access aisle
51 – 75	2 space w/ minimum 60 inch wide access aisle + 1 van accessible space w/minimum 96 inch wide access aisle
76 – 100	3 space w/ minimum 60 inch wide access aisle + 1 van accessible space w/minimum 96 inch wide access aisle
101 – 150	4 space w/ minimum 60 inch wide access aisle + 1 van accessible space w/minimum 96 inch wide access aisle
151 – 200	5 space w/ minimum 60 inch wide access aisle + 1 van accessible space w/minimum 96 inch wide access aisle



Van-accessible parking spaces serve both cars and vans. A wide access aisle is needed so a wheelchair lift may be lowered from a van onto a level surface. (If the access aisle is not marked off, two orange cones (minimum of 12" high) can be placed at the entrance to the parking place to mark off the access aisle on Election Day. Election poll workers would have to be notified to place the orange cones on Election Day.) The access aisle surface must be either made of cement, concrete or blacktop. A temporary mat on Election Day for the access aisle if the access aisle is made of gravel, limestone, grass, or dirt all the way to a concrete sidewalk or to the entrance to the polling place.

1. Are the minimum # of handicapped parking spaces provided, based on the total number of parking spaces? If **NO** parking lot, go to #2. YES NO (Circle One)

Total # of Parking Spaces for Polling Place _____

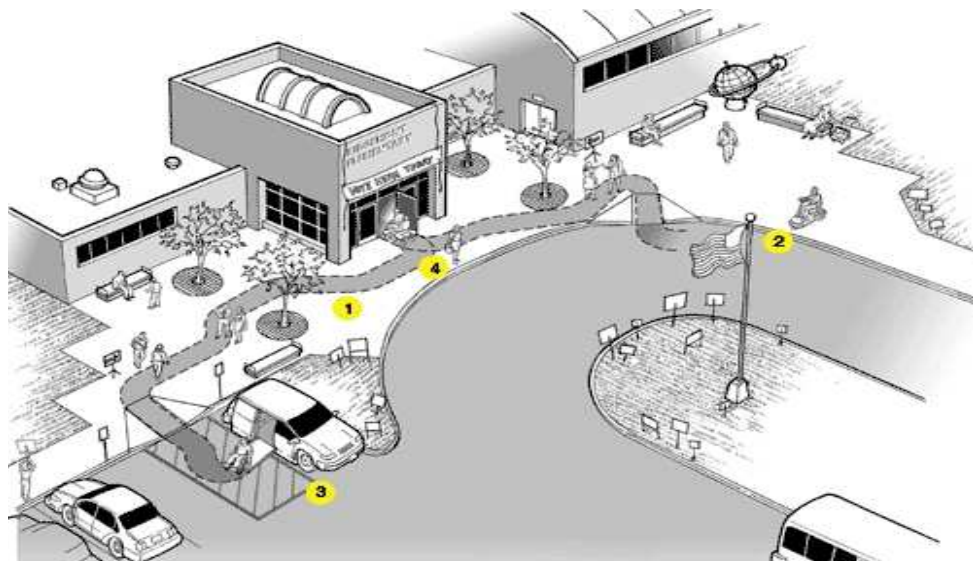
Total # of Permanent Van Accessible (96" Wide) _____ Total # Permanent Accessible (60" Wide) _____

If there is **NO** van accessible handicap space, designate extra footage for landing area to make a space van accessible. (You may either mark the space off with blue striping or use two cones which would be placed out on Election Day to mark off the space for the landing area.)

Total # of Cones to be Used on Election Day to mark off van accessible landing area _____

- | | |
|---|----------------|
| 2. If there is NO parking lot available for voters, is there at least one parking spot on the street designated or will be designated as the handicap accessible parking space for Election Day?
(Mark N/A if the response to #1 above is YES .) # designated as van accessible handicap _____
that will be designated as van accessible handicap parking on Election Day _____ | YES NO N/A |
| 3. Are all accessible parking spaces, including the access aisle, relatively level? | YES NO |
| 4. If the answer to 3 above is NO , is there another location at the facility nearby that could serve as an accessible parking space which is level with an accessible route to the accessible entrance to the voting area? (Mark N/A if the response to 3 above is YES .) | YES NO N/A |
| 5. Does each accessible parking space have a sign with the symbol of accessibility that is visible when a vehicle is parked in the space? | YES NO |
| 6. If the answer to 5 above is NO , can a temporary sign be placed for Election Day?
(Mark N/A if the response to 5 above is YES .) | YES NO N/A |

TRAVEL TO THE VOTING SITE



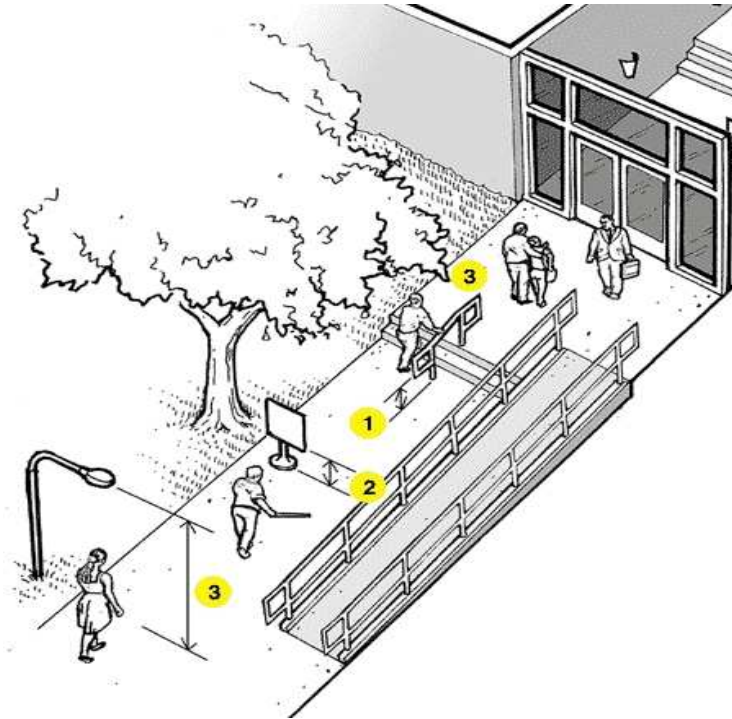
Notes:

1. Accessible route.
2. Accessible drop-off area.
3. Accessible parking with van accessible parking space.
4. Accessible entrance to polling place.

An accessible entrance to a polling place with accessible parking and an accessible drop-off area.

7. Accessible route from the parking area to the entrance to the voting site:

- | | | | |
|--|------------|-----------|------------|
| a. Are there curb cuts to access any sidewalks? (<u>Use N/A if the parking place has NO step up to get onto the sidewalk or is a flat parking lot to the entrance to the polling place.</u>) | YES | NO | N/A |
| b. Is the surface of the path accessible: made of cement, concrete, or other hard surface that is smooth enough for a person using a wheelchair to pass over easily? If the answer is NO , describe the surface of the accessible path (i.e. gravel, dirt, limestone, etc.): _____
_____ | YES | NO | |
| c. If the answer to b above is NO , is there a temporary mat which will be placed on Election Day to make the path accessible. What type of mat will be used? (Use N/A if NO temporary mat will be used on Election Day.) _____ | YES | NO | N/A |



Notes:

1. The bottom of the handrail extensions turn down so a person who is blind or has low vision can detect the hazard before running into it.
2. Signs or other objects in the pedestrian route can be a hazard if the bottom is more than 27 inches but less than 80 inches above the route.
3. Objects that overhang the pedestrian route must be at least 80 inches above the route.

Common objects along pedestrian routes to a polling place that can be hazards to people who are blind or have low vision.

- d. Is there a clear path of travel? (Path should be free of any objects with bottom edges that are higher than 27 inches but less than 80 inches above the walkway and that extend more than 4 inches into the sidewalk or walkway.) If **NO**, what will be done before Election Day to make the path of travel clear? _____

YES NO

- e. Are all tree branches and other objects that extend into the walkway higher than 80 inches? (If **NO**, what will be done before Election Day to clear the path of travel? _____)

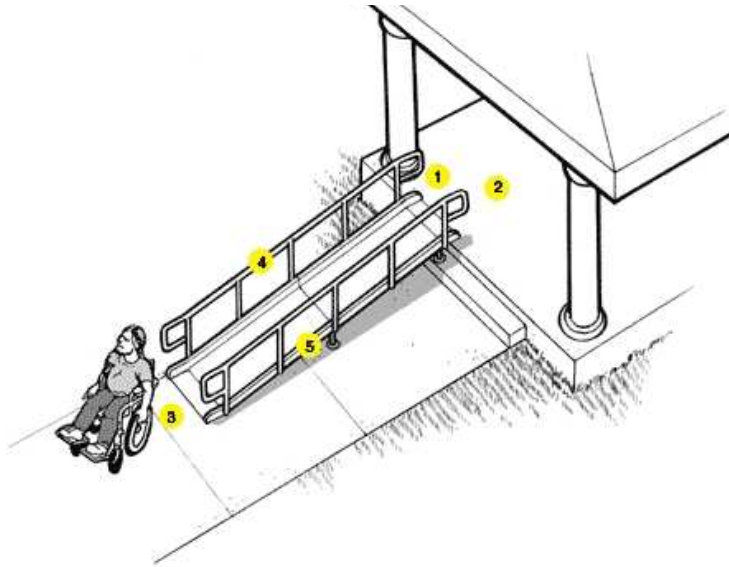
YES NO N/A

8. Is there an accessible route from public sidewalks or transportation stops to the voting site?

YES NO N/A

(Use N/A if there are no public sidewalks or transportation stops.) (If **NO**, what will be done before Election Day to make the route accessible?) _____

ACCESSIBLE ENTRANCE



Notes:

1. At least 36 inches between handrails.
2. Top landing part of walk.
3. Bottom landing part of walk.
4. Handrail height 34 to 38 inches.
5. Edge protection.

Accessible Ramp Features

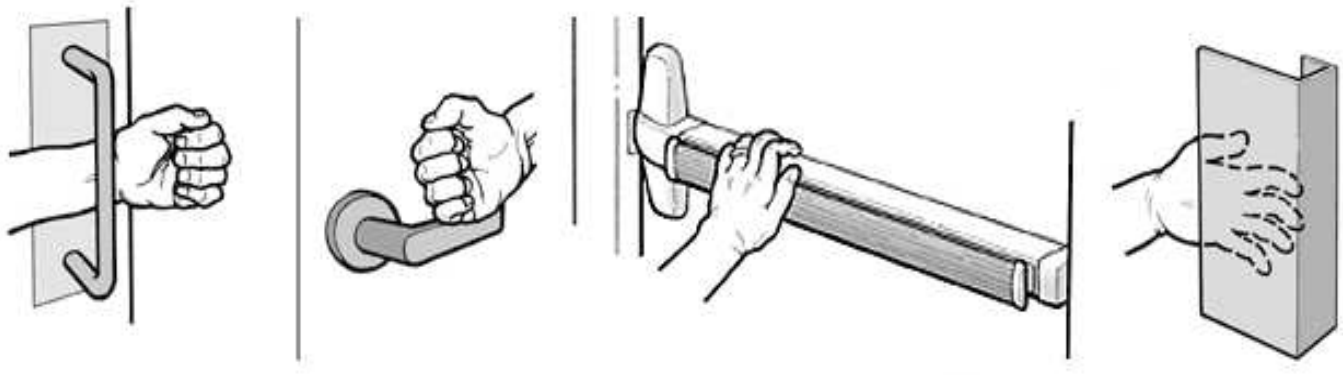
- | | | |
|---|-----|-----------|
| 9. Is the main entrance used as the accessible entrance? | YES | NO |
| 10. If the answer to 9 is YES , is it clearly marked on Election Day?
(The Secretary of State's Office has a sign in the precinct supply package to show where the accessible entrance is. The poll worker must draw an arrow on the sign to show the direction to the accessible entrance. If additional signs are needed, they should be requested before an Election.) | YES | NO |
| 11. If the answer to 9 is NO , is there an alternative accessible location? (Mark N/A if the answers to 9 and 10 are YES .) | YES | NO N/A |
| 12. Is there a ramp that can be safely used by a person with a disability to access the facility? | YES | NO |

If **NO**, skip (a) through (g) below:

- | | | | |
|--|------------|-----------|------------|
| a. How long is the ramp? _____ | | | |
| b. How high is the ramp at the bottom landing part of walk? _____ At the top landing part of walk? _____ | | | |
| c. If the rise of the ramp is more than 1:12 (1 inch of rise for every 12 inches of length), are there handrails? | YES | NO | |
| d. If there are handrails, are they 34 to 38 inches high? | YES | NO | |
| e. If there are handrails, is there a second handrail or edge protection to stop a wheelchair from falling off the side? | YES | NO | |
| f. Is there a level landing that is at least 60 inches by 60 inches at the top and bottom and where the ramp changes direction? (Mark N/A if the ramp does not change directions.) | YES | NO | N/A |
| g. Will a temporary ramp and/or handrails be used at the polling place on Election Day? | YES | NO | N/A |

Accessible Doorways

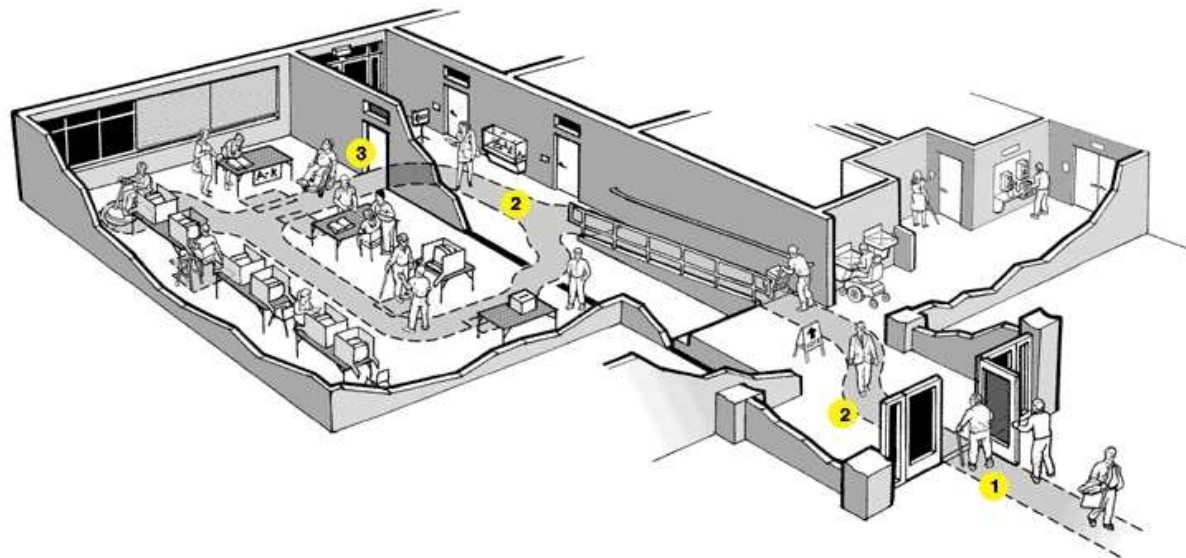
- | | | | |
|---|------------|-----------|------------|
| 13. Is the outside door opening at least 32 inches wide? (Use N/A if there is NO door.) | YES | NO | N/A |
| 14. If the answer to 13 above is NO , can temporary door hinges be used on Election Day to make the door wide enough? | YES | NO | N/A |
| 15. If there is a raised threshold, is it less than 3/4 inch in height at the outside door and beveled on both sides? (Use N/A if there is a flat threshold.) | YES | NO | N/A |
| 16. If the answer to 15 above is NO , is a temporary threshold ramp to be used on Election Day? (Use N/A if no temporary threshold ramp is needed.) | YES | NO | N/A |



Examples of handles and door hardware that can be used without tight grasping, pinching, or twisting.

- | | | | |
|--|------------|-----------|------------|
| 17. Is the outside door hardware usable with one hand, without tight grasping, pinching, or twisting of the wrist to allow people who may not be able to easily use one or both hands to fully operate the hardware? (Use N/A if there is no outside door hardware or the door is propped open.) | YES | NO | N/A |
| 18. If answer to 17 is NO , can the outside door be propped open on Election Day to aid individuals with disabilities? (The poll worker must be notified that the outside door needs to be propped open on Election Day.) | YES | NO | N/A |
| 19. If answers to 17 and 18 are NO , can a temporary door handle be placed on the door on Election Day? | YES | NO | N/A |
| 20. Is the outside door able to be opened without excessive effort? (Less than 5 pounds of force required) (Use N/A if there is no door.) | YES | NO | N/A |
| 21. If answer to 20 is NO , can the door be propped open on Election Day to aid individuals with disabilities? (Poll worker must be notified if door needs to be propped open on Election Day.) | YES | NO | N/A |
| 22. If answers to 20 and 21 are NO , can a temporary door handle be placed on the door on Election Day? (Use N/A if the answers to 20 and 21 are YES or N/A.) | YES | NO | N/A |

INTERIOR CIRCULATION



Notes:

Interior of a polling place showing the accessible route from the accessible entrance to the voting area.

1. Accessible
entrance

2. Accessible route
connects the
accessible entrance
with the voting area.

3. Accessible door to
the voting area

check-in table and voting systems at least 32 inches wide?

above is **NO**, if the inside door(s) is propped open on Election Day, will the opening be
adequate?

and 24 above are **NO**, can temporary door hinges to be used on Election Day to make
the door wide enough?

26. If there is a raised threshold, is it less than 3/4 inch in height at the interior door and beveled on both sides?
(Use N/A if there is a flat threshold.)

YES NO

YES NO N/A

YES NO N/A

YES NO N/A

- | | | | |
|--|------------|-----------|------------|
| 27. If the answer to 26 is NO , is there a temporary threshold ramp that can be installed on Election Day? | YES | NO | N/A |
| 28. Is the interior door hardware usable with one hand, without tight grasping, pinching, or twisting of the wrist to allow people who may not be able to easily use one or both hands to fully operate the hardware? (Use N/A if there is no interior door hardware or the door is propped open.) | YES | NO | N/A |
| 29. Is the interior door able to be opened without excessive effort? (Less than 5 pounds of force required) (Use N/A if there is no door.) | YES | NO | N/A |
| 30. If answers to 28 or 29 are NO , can the interior door be propped open on Election Day to aid individuals with disabilities? (The poll worker must be notified that the interior door(s) needs to be propped open on Election Day.) | YES | NO | N/A |
| 31. If answers to 28 and 29 are NO , can a temporary door handle be placed on the door on Election Day? | YES | NO | N/A |
| 32. Is there a clear path of travel – – free of any objects with bottom edges that are higher than 27 inches but less than 80 inches above the walkway and that extend more than 4 inches into the walkway? | YES | NO | |

If there are any questions, contact the Secretary of State's Office (1-800-883-2805).

I HEREBY CERTIFY THAT THE ABOVE-MENTIONED SURVEY WAS COMPLETED TO THE BEST OF MY KNOWLEDGE. WHERE TEMPORARY SOLUTIONS WILL BE USED ON ELECTION DAY, I HAVE MARKED THE SURVEY.

PRINTED NAME OF SURVEYOR: _____

TITLE OF SURVEYOR: _____

SURVEYOR'S SIGNATURE: _____ **DATE:** _____

SURVEYOR'S EMAIL ADDRESS: _____

SURVEYOR'S TELEPHONE NUMBER: _____

PPPAC (Revised November 2007)

APPENDIX 3

POLLING PLACE LEASE AGREEMENT

STATE OF LOUISIANA

PARISH OF _____

THIS AGREEMENT made this _____ day of _____, 20____, by and between _____, ('OWNER/LESSOR') and/or the agent of OWNER/LESSOR and the parish of _____, ("PARISH") hereby agrees that OWNER/LESSOR will lease the following premises ("LEASED POLLING PLACE PREMISES") located at _____, for use as a polling place in accordance with Title 18, section 533 of the Louisiana Revised Statutes.

1. TERM

This lease agreement is for a term commencing on _____ day _____ 20 ____ and ending on _____, 20____.

2. AUTOMATIC RENEWAL

This agreement shall automatically renew for a like term of one (1) year at the same rental rate, unless one of the parties to this agreement notifies the other, at least thirty (30) days prior in writing of the desire not to renew the lease agreement at least thirty (30) days prior to the expiration date of this agreement.

3. PAYMENT OF RENT

This agreement was made for and in consideration of a rental rate of \$_____ per election in accordance of the terms of this agreement. All rental payments shall be mailed to the following address: _____. Cancellation of any election for any reason shall not result in payment of rent therefore.

4. TERMINATION OF AGREEMENT

Either party may terminate this agreement upon thirty day (30) written notice to the other party at any time, except during the period commencing two (2) days before the date that qualifications open for an election, and this agreement shall remain in effect for all elections for which qualifying was opened.

5. LEASED POLLING PLACE PREMISES REQUIRMENTS

The LESSOR/OWNER shall give the PARISH the exclusive use of the leased premises for each election held in and involving Ward/district/precinct _____ or any parts thereof. The PARISH is authorized to use and occupy the LEASED POLLING PLACE PREMISES on such election days. Additionally, the OWNER/LESSOR agrees that the LEASED POLLING PLACE PREMISES SHALL BE EQUIPPED WITH THE FOLLOWING:

- (i) sanitary facilities

- (ii) proper electric current, fixtures, and outlets necessary to Voting Machines and conduct the election; and
- (iii) meet the requirements for accessibility for individuals with disabilities.

6. VOTING RIGHTS ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT

OWNER/LESSOR AGREES that the LEASED POLLING PLACE PREMISES shall be in full compliance with the Americans with Disabilities Act and Voting Rights Accessibility for the Elderly and Handicapped Act. In the event said LEASED POLLING PLACE PREMISES fails to be in compliance with the Americans with Disabilities Act and the Voting Rights Accessibility for the Elderly and Handicapped Act, the Parish shall immediately give written notice to the OWNER/LESSOR within seven (7) days of the noncompliance and thereafter OWNER/LESSOR will have Thirty (30) days to rectify and/or remedy those defects which cause the LEASED POLLING PLACE PREMISES to fail to be in compliance. Moreover, in the event OWNER/LESSOR fails to rectify and/or remedy those conditions within thirty (30) days of notice of noncompliance, the PARISH has the sole and exclusive right to immediately terminate this agreement.

7. LIABILITY

OWNER/LESSOR of the premises to be used by any person as a polling place on any election day shall not be liable to such person for injury to person or property which occurs on the premises while it is being used as a polling place on any election day, but does not exclude any liability which would otherwise exist for willful or malicious injury to persons or property or liability imposed on the owner, lessee, or occupant of the premises pursuant to Civil Code Articles 2317 or 2322. Nothing shall be construed to relieve any person using the premises of another as a polling place from any obligation which he may have in the absence of these provisions to exercise care in his use of such premises or from the legal consequences of failure to employ such care.

8. TRANSFERABILITY

The OWNER/LESSOR may not assign either this lease agreement and any of its rights, interest or obligations hereunder without the prior written approval of the PARISH. All terms and conditions of this lease shall be binding and enure to the benefit of and be enforceable by the respective successors and permitted assigns of the OWNER/LESSOR. Notwithstanding and foregoing, this lease shall not be sold nor the payments due or to become due hereunder assigned without the prior written consent of the other party.

9. OWNERSHIP OF THE LEASED POLLING PLACE PREMISES

The OWNER/LESSOR affirms that the LEASED POLLING PLACE PREMISES is not owned, occupied, or leased by a candidate in an election, or is a spouse of any such candidate, or an officer or employee of the state, city, or any of its political subdivisions.

10. TAXES

The OWNER/LESSOR agrees to be fully responsible for the payment of any state and/or federal taxes due under this Agreement. The federal identification number or social security number of the OWNER/LESSOR is _____.

IN WITNESS WHEREOF, the parties have executed this agreement this _____ day of _____, 20__.

WITNESSES:

WITNESSES:

PARISH OF _____

By: _____

Title: _____

OWNER/LESSOR

By: _____

Title: _____

Comments:

Please send any comments for improvement to this handbook to:

Angie R. LaPlace
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